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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 216**

The Universal Credit Regulations (Northern Ireland) 2016

PART 1

INTRODUCTION

*The Benefit Unit*

**When a person is responsible for a child or qualifying young person**

4.—(1) Whether a person is responsible for a child or qualifying young person for the purposes of Part 2 of the Order and these Regulations is determined as follows.

(2) A person is responsible for a child or qualifying young person who normally lives with them.

(3) But a person is not responsible for a qualifying young person if the two of them are living as a couple.

(4) Where a child or qualifying young person normally lives with two or more persons who are not a couple, only one of them is to be treated as responsible and that is the person who has the main responsibility.

(5) The persons mentioned in paragraph (4) may jointly nominate which of them has the main responsibility but the Department may determine that question—

(a) in default of agreement, or

(b) if a nomination or change of nomination does not, in the opinion of the Department, reflect the arrangements between those persons.

(6) Subject to regulation 5, a child or qualifying young person is to be treated as not being the responsibility of any person during any period when the child or qualifying young person is—

(a) looked after by an authority, or

(b) a prisoner.

(7) Where a child or qualifying young person is temporarily absent from a person's household the person ceases to be responsible for the child or qualifying young person if—

(a) the absence is expected to exceed, or does exceed, 6 months, or

(b) the absence is from Northern Ireland and is expected to exceed, or does exceed, one month unless it is in circumstances where an absence of a person for longer than one month would be disregarded for the purposes of regulation 11(2) or (3) (death of close relative etc. or medical treatment or convalescence).